

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

JOHN BAXLEY, JR., *et al.*,

Plaintiffs,

v.

**Civil Action No. 3:18-cv-01526
(Judge Robert Chambers)**

WILLIAM MARSHALL, III,

Defendant.

ORDER

Before the Court is a joint motion filed by counsel seeking a one year extension of the placement of this case on the Court's inactive docket. On September 27, 2022, this Court entered its Order Approving Class Action Settlement and Attorney Fees [ECF No. 686], which placed this case "on the Court's inactive docket for the two-year implementation period set forth in the settlement agreement, which shall expire on August 31, 2024." *Id.* at 10.

In joint motion seeking an extension of the placement of this case on the inactive docket, the parties explain, "Due to unanticipated delay, the regular, monthly data-sharing contemplated by the settlement agreement was not achieved until September 2023, and the first nurse surveyor report did not issue until September 2, 2023. Because the two year settlement implementation period did not start until September 2023, the parties now jointly request to extend the placement of this case on the Court's inactive docket by one year, to run through August 31, 2025, to allow the parties fully implement the settlement agreement."

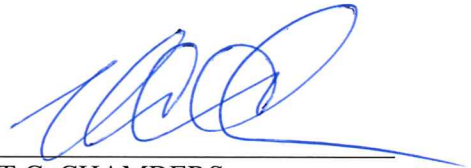
Because implementation of the settlement period did not begin until September 2023, and because the parties have represented that this implementation is ongoing, the Court **ORDERS** that the above captioned action be maintained on the Court's inactive docket for an additional year to

permit for the full implementation period set forth in the settlement agreement. This placement on the inactive docket shall expire on August 31, 2025.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: 4/1/24



ROBERT C. CHAMBERS
UNITED STATE DISTRICT JUDGE